

Honorable James L. Robart

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

VANESSA SIMMONDS,

Plaintiff,

v.

GOLDMAN SACHS & CO., a New  
York limited partnership,

MORGAN STANLEY & CO.  
INCORPORATED, a Delaware  
corporation,

MERRILL LYNCH, PIERCE,  
FENNER & SMITH  
INCORPORATED, a Delaware  
corporation,

BANK OF AMERICA  
CORPORATION, a Delaware  
corporation,

ROBERTSON STEPHENS, INC., a  
Massachusetts corporation,

Defendants,

and

PALM, INC., a Delaware corporation,

NO. C07-1593 JLR

**PLAINTIFF'S NOTICE OF  
DISMISSAL**

PLAINTIFF'S NOTICE OF DISMISSAL – 1  
No. C07-1593 JLR

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Nominal Defendant.

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), Plaintiff hereby dismisses this action with prejudice as to the adequacy-of-the-pre-suit-demand issue under the standard articulated by the Ninth Circuit (*see Simmonds v. Credit Suisse Sec. (USA) LLC*, 638 F.3d 1072, 1097 (9th Cir. 2011) (citing *In re Kauffman Mut. Fund Actions*, 479 F.2d 257, 267 (1st Cir.1973)), and without prejudice as to all other issues.

1 DATED this 11th day of June, 2012.

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 11, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following.

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